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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Daniel MARTIN Confirmation No.: 2560
Serial No.: 10/529,139 Art Unit: TBA
Filed: March 23, 2005 Examiner: TBA
For: INTRAMEDULLARY NAIL Attorney Docket No: 8932-1076-999

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C.
§ 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notification of Missing Requirements ("the Notice") dated November 4, 2005 in connection with the above-identified application, Applicants submit herewith: (1) a Declaration and Power of Attorney executed by the inventor Daniel Martin, (2) a \$130.00 surcharge fee for filing the Declaration (37 C.F.R. § 1.16(f)), and (3) a copy of the Notice. With regard to the additional claim fees (\$450) cited as due on the Notice, Applicant respectfully submits that the Preliminary Amendment submitted herewith removes the need for any additional fees because the total number of claims remaining is less than previously paid for, and all multiple dependent claims have been cancelled.

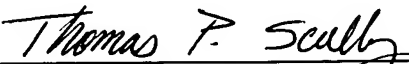
05/15/2006 GFREY1 00000136 503013 10529139

01 FC:1617 130.00 DA
02 FC:1615 450.00 DA

Please charge the \$130.00 surcharge fee and any other required fee to Jones Day
Deposit Account No. 50-3013. A duplicate of this sheet is enclosed for accounting purposes.
A separate Petition for Extension of Time is also enclosed.

Respectfully submitted,

Date: May 4, 2006



Brian M. Rothery (Reg. No. 38,340)
By: Thomas P. Scully (Reg. No. 45,086)
JONES DAY
222 East 41st Street
New York, New York 10017
(212) 326-3939

Enclosures



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/529,139	Daniel Martin	8932-1076-999

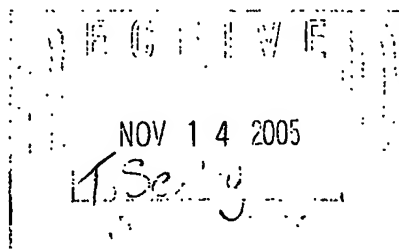
INTERNATIONAL APPLICATION NO.

PCT/CH02/00538

IA. FILING DATE	PRIORITY DATE
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09/27/2002

51832
 JONES DAY
 222 EAST 41ST STREET
 NEW YORK, NY 10017-6702



CONFIRMATION NO. 2560

371 FORMALITIES LETTER



OC000000017379034

Date Mailed: 11/04/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 03/23/2005
- Copy of the International Search Report filed on 03/23/2005
- Copy of IPE Report filed on 03/23/2005
- Information Disclosure Statements filed on 06/21/2005
- Request for Immediate Examination filed on 03/23/2005
- U.S. Basic National Fees filed on 03/23/2005

*Oath/Declaration and
 Fee Due 1/4/06 SL*

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of \$450 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$450 for a Large Entity:

- Total additional claim fee(s) for this application is \$ 450

- \$450 for 22 total claims over 20.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

INDIA L EVANS

Telephone: (703) 308-9140 EXT 212

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/529,139	PCT/CH02/00538	8932-1076-999

FORM PCT/DO/EO/905 (371 Formalities Notice)